

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 5:22-cr-00399
)	
Plaintiff,)	JUDGE DAVID A. RUIZ
)	
vs.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
ROBERTO GONZALEZ-RIVERA,)	REFERRAL TO U.S. PROBATION
)	OFFICE
Defendant.)	

This case is before the Court on a Report and Recommendation (R&R) filed by United States Magistrate Judge Carmen E. Henderson regarding the change of plea hearing of Defendant Roberto Gonzalez-Rivera which was referred to the Magistrate Judge with the consent of the parties.

On July 14, 2022, the Government filed a four count Indictment, charging Defendant Roberto Gonzalez-Rivera with the following: Count 1, Possession with Intent to Distribute a Controlled Substance, in violation of Title 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi); Count 2, Possession with Intent to Distribute a Controlled Substance, in violation of Title 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(ii); Count 3, Possession with Intent to Distribute a Controlled Substance, in violation of Title 21 U.S.C. §§ 841(a)(1) and (b)(1)(C); and Count 4, Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18 U.S.C. § 924(c)(1)(A)(i). Defendant Roberto Gonzalez-Rivera was arraigned on August 4, 2022, during which he entered a plea of not guilty to the charges. On July 18, 2024 Magistrate Judge Henderson received Defendant's plea of guilty to Counts 1, 2, 3, and 4 of the Indictment, with a written plea agreement, and issued the R&R recommending that the Court accept the plea of guilty to Counts

1 through 4 of the Indictment and find defendant guilty of those offenses. Neither party submitted objections to the Magistrate Judge's R&R.

On *de novo* review of the record, the Magistrate Judge's R&R is adopted. Defendant Roberto Gonzalez-Rivera is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a guilty plea. There is an adequate factual basis for the plea. The Court finds that Defendant Roberto Gonzalez-Rivera knowingly, intelligently, and voluntarily pleaded guilty to Counts 1 through 4 of the Indictment. The plea agreement is approved.

Therefore, Defendant Robert Gonzalez-Rivera is adjudged guilty of Counts 1 through 4 of the Indictment, as set forth in the plea agreement. This matter has been referred to U.S. Pretrial Services and Probation Office for the completion of a pre-sentence investigation and report, and the matter scheduled for sentencing.

IT IS SO ORDERED.

s/David A. Ruiz 11/21/2024
DAVID A. RUIZ
UNITED STATES DISTRICT JUDGE